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B O I E S , S C H I L L E R & F L E X N E R L L P

575 LEXINGTON AVENUE • 7th FLOOR • NEW YORK, NY 10022 • PH. 212-446-2300 • FAX 212-446-2350

PETER M. SKINNER
Tel.: (212) 303-3654
E-mail: pskinner@bsfllp.com

April 25, 2016

VIA ELECTRONIC MAIL

Mr. Brian Feldman
Harter Seacrest & Emery, LLP
1600 Bausch & Lomb Place
Rochester, NY 14604-2711
bfeldman@hselaw.com

Re: *Meyer v. Kalanick*, No. 15 Civ. 9796 (S.D.N.Y.)

Dear Brian:

We write in further response to your March 23, 2016 letter. As you know, on March 29, 2016, we advised you that Ergo had ceased any inquiries in this matter and would be conducting no further inquiries. We also said that we would respond further after Judge Rakoff ruled on the motion to dismiss. With the limitations described below, we will agree to disclose the following information voluntarily and outside of the formal discovery process:

1. the name and contact information of any individual or entity contacted by Ergo in the course of its investigation of Mr. Meyer (“Ergo’s sources”); and
2. the date and method of communication for each contact.

We will produce this information only if Plaintiff agrees not to use the information in this litigation for any purpose whatsoever. The information may be used, however, so that Plaintiff or his representatives may contact Ergo’s sources, discuss Ergo’s communications with those sources, and communicate to those sources whatever further information Plaintiff deems necessary to address any harm purportedly caused by Ergo’s communications with those sources. We do not concede that any harm has been caused, nor do we believe that to be the case. Please advise if Plaintiff will agree to limit use of the source information as discussed above.

Very truly yours,

/s/ Peter M. Skinner

Peter M. Skinner